

Analysis of Impediments to Fair Housing and Fair Housing Plan

City of Duluth, Minnesota



Prepared by The City of Duluth Community Resources Department
January 2010

To obtain a copy of this document please contact
the City of Duluth Community Development Division
at 218-730-5480

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CERTIFIED COPY OF RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DULUTH, MINNESOTA

RESOLUTION 10-0066

ADOPTED: JANUARY 25, 2010

WHEREAS, the Housing and Community Development Act of 1974, as amended, and the regulations promulgated there under require its grantees, such as the city of Duluth, to have in place an analysis of impediments to fair housing and fair housing plan in order to receive funding under the community development block grant (CDBG) program, as well as other federal funding programs.

NOW, THEREFORE, BE IT RESOLVED, that the city of Duluth hereby approves the Duluth 2010 analysis of impediments to fair housing and fair housing plan, a copy of which is on file with the city clerk as Public Document No. 10-0125-19.

Resolution 10-0066 was unanimously adopted.

Approved January 25, 2010


DON NESS, Mayor

I, JEFFREY J. COX, city clerk of the city of Duluth, Minnesota, do hereby certify that I have compared the foregoing resolution passed by the city council on the 25th day of January, 2010, with the original in my custody as city clerk of said city and that the same is a true and correct transcript therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said city of Duluth, this 27th day of January, 2010.

JEFFREY J. COX
City Clerk

by


Assistant
CITY OF DULUTH, MINNESOTA

**NOTICE OF PUBLIC COMMENT PERIOD AND PUBLIC HEARING ON THE
CITY OF DULUTH'S ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING AND
FAIR HOUSING PLAN**

The City of Duluth's Community Development Division announces a 30-day public comment period on the 2010 Analysis of Impediments to Fair Housing and Fair Housing Plan, prior to adoption of the plan by the City Council. The public comment period is December 22, 2009 to January 22, 2010.

The Analysis of Impediments to Fair Housing and Fair Housing Plan is the document that outlines impediments, or obstacles to fair housing for its citizens and describes methods the City will use to remove the impediments to assure fair housing for all of its citizens.

Copies of the Analysis of Impediments to Fair Housing and Fair Housing Plan will be available beginning December 22, 2009 at the City of Duluth Community Development Office (Room 407 City Hall), the City Clerk's office (Room 330), and the Duluth Public Library, or it may be viewed on the City's website at http://www.duluthmn.gov/community_development/index.cfm

The Duluth City Council will hold a public hearing on the Analysis of Impediments to Fair Housing and Fair Housing Plan on Monday, January 25, 2010 at 7:00 p.m. in City Council Chambers of Duluth City Hall.

For more information or to forward comments on this Draft Plan, contact:

Keith Hamre, Manager
Community Development
Room 407 City Hall
Duluth, MN 55802

730-5480 (phone) 730-5915 (fax)
khamre@duluthmn.gov

If you have special needs, such as an interpreter, please contact the Community Development Division at 730-5480 so that your needs can be accommodated.

For hearing impaired persons please call the City's TTY/Information Assistance at 730-5000 or the Minnesota Relay Service at 1-800-627-3529.

INTRODUCTION

The City of Duluth, Minnesota receives annual funding assistance for community development from the U. S. Department of Housing and Urban Development (HUD) through programs such as the Community Development Block Grant (CDBG) Program, the HOME Investment Partnerships Program (HOME) and the Emergency Solutions Program (ESP). The primary objective of HUD-assisted programs is the development of viable and livable urban communities which provide housing and housing choice's that are safe and affordable, opportunities for economic development, public facilities and public services meeting the needs of low-to-moderate-income residents. This document is an update of previous publications of "Analysis of Impediments of Fair Housing".

The City of Duluth submits to HUD a Consolidated Plan for Housing and Community Development that outlines the community development goals and strategies the City proposes to undertake with CDBG, HOME and ESP funding over a five-year period. Components of the Consolidated Plan include: 1) Executive Summary; 2) Planning and Coordination; 3) Housing and Community Development Needs; 4) Housing and Community Development Strategic Plan; and 5) Action Plan. The current Consolidated Plan covers fiscal years 2005-2009. Each subsequent year of the Consolidated Plan, the City submits an Annual Action Plan that specifies activities the City will undertake during the next 12-month period.

Provisions to affirmatively further fair housing have long been a part of HUD programming. Entities such as Counties, Cities, and others that receive funding through HUD are required to develop a Fair Housing Plan and incorporate initiatives to eliminate impediments to fair housing choice into their Consolidated Plans. Impediments to fair housing choice, defined by HUD are:

Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status or national origins, which restrict housing choices or the availability of housing choices, or

Any actions, omissions, or decisions which have an affect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status or national origin.

Fair Housing Certification is a component of the Consolidated Plan in which the City pledges that it will take affirmative action to further fair housing. As part of the Fair Housing Certification, and in conjunction with the Consolidated Plan, the City agrees to 1) Conduct an analysis of impediments to fair housing choice within the jurisdiction; 2) Take appropriate actions to overcome the effects of any impediments identified through that analysis; and 3) Maintain records reflecting that analysis and the subsequent actions taken in regard to the impediments to fair housing.

Review of Previous Plans

Analysis of Impediments to Fair Housing

In 1998, the City Council approved a Fair Housing Plan for Duluth which included actions aimed at reducing or eliminating impediments to fair housing. These actions were incorporated into the Consolidated Plan for Housing and Community Development for fiscal years 2001-2005. However, in assessing the goals and priorities of the City's current Consolidated Plan in conjunction with national and global issues of the recent past that have impacted our national economy and in conjunction with emerging data from the 2000 Census relating to community development and to fair housing issues in Duluth, Community Development staff decided that updating the Fair Housing Plan was overdue, and that updating that Plan, through the process of conducting an Analysis of Impediments to Fair Housing, would also serve as the first step in drafting the next Consolidated Plan.

The purpose of conducting an Analysis of Impediments to Fair Housing is to identify barriers that limit fair and equal housing choice for protected class persons living in Duluth. The Analysis of Impediments then serves as the framework in updating the City's Fair Housing Plan to reflect current issues that negatively impact housing choice for protected class persons. To carry out that process, a Fair Housing Task Force was formed. The responsibilities of the Task Force were to review the data gathered in the Analysis of Impediments, identify issues that act as barriers to fair and equal housing choice for protected class persons of Duluth and develop, for the City's Fair Housing Plan, specific goals and actions aimed at reducing and/or eliminating the negative impact of the impediments identified in the analysis. Task Force participants, gathered from a variety of agencies, organizations and institutions that work with housing and other related issues, contributed their knowledge and unique insight to the Analysis of Impediments to Fair Housing. Their valuable contributions were key to this drafting of the City's Analysis of Impediments and Fair Housing Plan. The Task Force, with members representing a wide range of community interests and viewpoints, included representatives from the Arrowhead Multi-housing Owner's Association, Community Action Duluth, the Housing and Redevelopment Authority of Duluth, the Center for Independent Living, Legal Aid Services of NE Minnesota, Housing Access Center, North Shore Mortgage, the Human Rights Commission, the Duluth Housing Commission, the Community Development Committee, Duluth Police, Building Safety and Inspection, Community Development, and the Human Rights Officer.

The Fair Housing Task Force used several sources of information in conducting this Analysis of Impediments to Fair Housing. One of the primary sources of information reviewed by the Task Force were comments made by persons during nine focus groups conducted throughout the City. In conjunction with focus group comments, the Task Force also reviewed information relevant to fair housing from the 2000 Census and summary data from the 1990 Census, when similar data was not available from the 2000 Census files. They also reviewed Home Mortgage Disclosure Act (HMDA) data, the 2001 Housing Indicators Report, crime statistics for 1999 and 2000, building permits

and inspection data, fair housing research and literature from HUD and other sources, and strategies addressing poverty and affordable housing identified in the FY 2001-2005 Consolidated Plan for Housing and Community Development.

Focus Groups

Community Development staff conducted nine focus groups during the first months of 2002. A total of 95 people participated in the focus groups: 40 of the participants were white (not Hispanic), 25 were American Indian/Native Alaskan, 15 were Black/ African American, 11 were Asian and 4 were Hispanic. The focus groups were held in conjunction with group meetings at the following agencies: the American Indian Community Housing Organization, the Center for Independent Living, Copeland Community Center, Safe Haven Shelter for Battered Women, Salvation Army, Veteran's Outreach North and Women's Transitional Housing Coalition. The following are some of the comments and associated impediments identified by focus group participants. (To avoid repetition, only a sampling of participant comments are listed here.)

Impediment: Lack of Information and Education

- Someone should create a nonprofit housing network, with database, to provide information about affordable housing/rental properties.
- Information is available to landlords regarding tenant's rental history, but no information is available to renters about landlords/rental property history.
- It's difficult to find support and information about housing for people with disabilities.
- Standardize lease agreements that are fair to landlords and tenants (most highly favor landlords and provide little support to tenants).
- Many tenants are unaware of procedures that landlords must follow in evicting the tenant. They do not know that they may not have to leave when a landlord tells them to, or other rights they have, therefore, they often do not exercise their rights.
- HRA complaint process is unclear--to whom should people make complaints, if they are unsatisfied with treatment, or the complaint process, in public housing?
- How do we get copies/information regarding HRA regulations and policies?
- Someone should hold a caucus to discuss what's being done in regard to housing in Duluth--bring many people together, including nonprofits, landlords, tenants, housing providers, etc, to talk about housing issues.
- The majority of focus group participants stated that they had never spoken to someone about fair housing and had never received fair housing information prior to their participation in the focus groups.

Impediment: Housing Discrimination Against Protected Class Persons

- The housing shortage allows landlords to do what they want--they have an advantage of tenants.
- It's like landlords have a "black list" and if someone gets on that list, they can't get an apartment anywhere.
- Many landlords do not allow families with older children (teens) because they assume that teens are more likely to cause destruction to apartment units.
- People of color are required to show identification at first-time meetings with prospective landlords, where white people are not asked for identification.

- Many Duluth landlords show bias against certain kinds of people, particularly people of color.
- One landlord said to a woman with children "I don't like renting to women with children, I don't want kids here."
- People of color or who sound different are required to prove to landlords that they are rent worthy, whereas whites are not subjected to the same scrutiny.
- Rent based on "projected" income is unfair to renters.
- Families with many children are required to pay higher rent deposits.
- In looking for housing, I have had landlords refer to people of color as "you people."

Impediment: Special Needs Populations are Overlooked

- People with disabilities have greater difficulty finding housing.
- Landlords believe people with mental illness are more likely to cause damage to apartments.
- HRA doesn't provide support to people with disabilities.
- People with disabilities are often overlooked or ignored.
- Landlords discriminate--they don't want to rent to people with disabilities.
- Landlords have difficulty understanding what the rights of the disabled are--this could apply to other protected classes also.
- Sometimes it's difficult to communicate about special needs.
- Discrimination is easier when there is a language barrier.
- Important information is often abbreviated, or not thoroughly explained, when communicated to non-English speaking people because of translation.
- HRA does not provide adequate translation services--they often relay information through younger family members, and rely on younger family members to translate policies and lease information to adult family members.
- Non-English speaking people do understand that if they do not sign what they are told to sign they will not get the apartment they want.

Impediment: Housing Code Enforcement

- Improve the quality of affordable (low-income) rental property.
- Code violations/inspection of rental property is a big problem in Duluth--there is a lot of poor quality housing where landlords make no attempt to maintain or make repairs, yet Building Safety and Inspection people do nothing about it.
- Much of the rental properties in Duluth are not properly maintained/cared for. Too many apartments in Duluth are in very poor condition.
- Landlords don't care about code violations--they can just transfer the title of the property and operate on a temporary license.
- Provide tenants with greater advocacy support in getting deposit funds back--take picture of damages to prove damage occurred prior to occupancy.
- When you call building inspection, they don't come out--they just look the other way.
- The same code violations are being reported by consecutive tenants--doesn't the City have records of this? It should raise red flags and something should be done.
- "The only place we could get when we moved to Duluth was old, falling apart, with roaches and bad water. It was demolished not long after we left." How does such poor housing pass inspection?

- Landlords should be held accountable and monitored to make sure that they follow the laws and do, and/or not do what they should/shouldn't do.
- When landlords are cited for code violations, they do nothing about it and the court system is ineffective and/or too lenient on landlords who do not maintain their property. Provide better/more support to tenants in court system--current system favors landlords.
- Improve property inspection procedures/process to better support tenants and improve the quality of housing stock in Duluth. Hold landlords accountable for maintenance of their property.

Impediment: Loss of Affordable Housing Units

- There is a shortage/lack of available affordable housing in Duluth.
- People raised concern about the poor quality of Section 8 housing--"Section 8 housing is supposed to help low-income people, so why do they allow owners of decrepit apartments to participate in the program."
- A participant described rental property that "had no smoke alarms, and the back of the building was secured in such a way that even the fire dept. had difficulty gaining access."
- Duluth has good transitional housing programs, but there is no longer housing to transition into because there is not enough affordable housing.
- There are very few new, affordable housing facilities being developed. More affordable housing needs to be built.
- The Lincoln Hotel should have been renovated for low-income housing.
- There is a lack of affordable housing for people who are low-income but make too much money to qualify for assistance--developers of new rental housing either build upscale for higher-income people or they build low-income housing that is rent subsidized units targeted towards low-income.
- There isn't enough nice, affordable rental apartments available for people with disabilities.
- UMD lacks sufficient housing for students, which means the students "gobble up" affordable housing in areas of the City for most of the year, which means fewer affordable units are available for residents.
- Too many absentee landlords--particularly those that rent to college students.

The Task Force used focus group comments as their primary source for identifying the Impediments to Fair Housing and in framing the goals and actions identified in the Fair Housing Plan. Other sources of information used in identifying impediments to fair housing were viewed in conjunction with the focus group comments and are described below.

Review of 1997 Analysis of Impediments to Fair Housing

In 1997, the City of Duluth conducted its first Analysis of Impediments to Fair Housing, as required by HUD in conjunction with Fair Housing Certification, which established the basis for the Duluth Fair Housing Plan, approved by the City Council in 1998. From that analysis, 12 impediments were identified:

1. Lack of affordable housing
2. Poverty
3. Housing discrimination
4. Insufficient rental property rehabilitation financing
5. High mortgage denial rates
6. Lack of local enforcement of fair housing laws
7. Deteriorating housing stock
8. Loss of housing units
9. Attitudes
10. Governmental and agency policies
11. Accessible housing
12. Crime

The 1998 Fair Housing Plan identified general to specific recommendations towards reducing the negative impact of the 12 impediments. Recommendations and subsequent actions made in conjunction with the 1998 Fair Housing Plan ranged from increasing CDBG and HOME Program funding for rental rehabilitation and home ownership programs, to the development of a Housing Maintenance Ordinance. The most significant action accomplished through the 1998 Plan was the passage of a Human Rights Ordinance for the City of Duluth, adopted in 2001, and the appointment of a Human Rights Officer in 2002, which allows for local processing, investigation and resolution of fair housing complaints. Specific strategies and accomplishments from the 1998 Fair Housing Plan are reported in the Consolidated Annual Performance and Evaluation Report submitted to HUD annually.

The Fair Housing Task Force reviewed the 1998 Analysis of Impediments in conjunction with comments made by focus group participants and related information. Through this method, they found that many of the issues identified in the original Analysis of Impediments continue to act as impediments to fair and equal housing choice for protected class persons in Duluth. However, the Task Force further concluded that some of the impediments, identified separately in the 1998 Plan, could be identified more concisely under a single impediment, or that issues related closely enough to warrant combining them under a single impediment, or, in a few cases, that impediments identified in the 1998 Plan no longer warranted inclusion. They also concluded that a major issue, the lack of information and education about fair housing laws and regulations, not identified as an impediment in the 1998 Plan, should be included in the updated Plan. Through their analysis, the Task Force identified the following impediments for inclusion in the 2003 Analysis of Impediments and Fair Housing Plan.

1. Lack of Information and Education
2. Discrimination Against Protected Classes
3. Special Needs Populations Are Overlooked
4. Housing Code Enforcement
5. Loss of Affordable Housing Units

The rationale for addition, elimination and other changes made in the process of updating the Fair Housing Plan, and moving from the 12 impediments identified

in the 1998 Plan to the five identified in the 2003 Plan is explained below.

Impediment 1: Lack of Information and Education

The 1998 Analysis of Impediments and Fair Housing Plan did not include an impediment that specifically identified and addressed issues relating to the lack of information and education about fair housing laws and regulations. The Task Force found this to be an important component of fair housing that was lacking in the original Plan. They further concluded that many of the comments, concerns and wrongful actions described by focus group participants stemmed from a lack of knowledge, awareness and/or understanding of fair housing laws and regulations, and that many of these issues could be addressed by providing information and by educating people about fair housing, and the rights and responsibilities of citizens in regard to fair housing. It was also noted that only a few persons participating in the focus groups had ever received information about fair housing. Other issues the Task Force chose to identify in the updated Plan under the impediment Lack of Information and Education include Attitudes, Accessible Housing and Mortgage Denial Rates. The Task Force determined that negative attitudes about protected class persons or that limit housing choice for certain people most often result from a lack of knowledge or understanding and, therefore, warranted inclusion under this impediment. They also determined that the issues of accessibility, reasonable accommodations and visitability as they relate to new construction and renovation of existing structures can best be addressed by educating the architects, builders, contractors and attorneys associated with those projects. Mortgage Denial Rates was also eliminated as an impediment, but goals and actions aimed at improving homeownership opportunities for persons denied home mortgage loans were also developed under this impediment.

Impediment 2: Discrimination Against Protected Classes

As stated previously, the most significant accomplishment of the 1998 Plan was the passage of the Human Rights Ordinance, which provides the Human Rights Office with the ability to address housing discrimination, process fair housing complaints and locally enforce the laws relating to fair housing. As such, the Task Force reasoned that "lack" of local enforcement was no longer an impediment, as it relates to enforcement of fair housing law, but that additional goals and actions were needed to identify ways in which the Human Rights Office would process fair housing complaints, carry out enforcement of fair housing laws and address other matters of discrimination. In the updated Plan, the Task Force developed specific goals and actions under this impediment to address these issues.

Impediment 3: Special Needs Populations are Overlooked

Beyond accessibility goals and actions identified under Lack of Information and Education, the Task Force determined that additional goals and actions were needed to address fair housing issues for protected class persons that have "special needs," which they attempt to address under this impediment. Special needs populations are identified by the Task Force as persons with mental and physical disabilities and non-English speaking people, but may include others. From focus group comments and other data, the Task Force concluded that, 1) Special needs populations are often overlooked, 2) Special needs populations often face multiple barriers to obtaining housing of their choice, 3) There is insufficient data about non-English speaking

populations or people with disabilities living in Duluth, which makes it difficult to effectively identify their housing needs, and 4) Little is being done to address housing issues for people with disabilities in relation to the Olmstead Decision, which holds that unnecessary institutionalization of people with disabilities is a form of discrimination and is prohibited under the Americans with Disabilities Act (ADA).

Impediment 4: Housing Code Enforcement

In the 1998 Plan, enforcement is addressed in regard to local enforcement of fair housing law. In the updated Plan, enforcement issues cited by focus group participants referred more often to rental housing properties that are poorly maintained, code violations and problems associated with enforcement of housing codes on landlords who do not properly care for the properties they own. The Task Force concluded that enforcement of housing codes warranted inclusion in this Plan because: 1) A high number of focus group participants cited lack of enforcement and the poor condition of older, affordable housing stock in Duluth as impediments to fair and equal housing choice; 2) Review of information from Building Safety and Inspection and data from the Housing Indicator Report suggests problems that may limit housing choice for some protected class persons in connection with the condition of older, affordable, housing stock, particularly as it pertains to rental housing; and 3) The method used by Building Safety and Inspection for processing, storing and retrieving information about property inspections, code violations, citations, corrections and other issues of property maintenance does not adequately meet the needs of the department, limits the City's ability to properly enforce housing safety codes, and limits information to the public and to organizations that provide housing support and services that may help people make better decisions about their housing choice.

Impediment 5: Loss of Affordable Housing Units

The Task Force determined that issues, identified separately in the 1998 Plan as Affordability, Deteriorating Housing Stock, Loss of Housing Units and Insufficient Rental Property Rehabilitation Financing, were all closely related issues. The result of these combined issues is the loss of affordable housing stock in Duluth, which limits housing choice for all low-income persons, and acts to further limit housing choice for protected class persons who are also low-income. As such, the Task Force chose to combine and address these issues under this impediment.

Other changes made by the Task Force in updating the Analysis of Impediments were to eliminate impediments identified in the 1998 Plan as Government and Agency Policy, Poverty and Crime. Crime was not included as an impediment to fair housing in this Plan because crime was not cited as an impediment at any of the focus groups, and because crime data reviewed by the Task Force did not indicate issues relating to fair housing. It was further noted that in recent years, the City has improved neighborhood safety and reduced crime in neighborhoods through neighborhood policing efforts. Government and agency policies and poverty, as they relate to fair housing issues for protected class persons, are addressed under impediments one and five. Strategies aimed at reducing poverty for low-income persons living in Duluth are identified more specifically under the Anti-Poverty Strategy in the Consolidated Plan for Housing and Community Development.

Summary Data Review

Census Data— As of preparation of this update the most recent census data is from the year 2000 which is now nearly ten years old and severely out dated. Consistent census data does allow for comparison of change for certain sets of statistics which has occurred over the ten year period of time. Some updated demographic information is, however, available through the American Fact Finder for year 2008. It should be noted that data from the 2000 Census, and in some cases 1990 Census data was used (where combined data sets were not yet available from 2000 the Census) and compared to American Fact Finder data. Demographic data from Table 1 shows that after decline which occurred in the 1950's through the 1970's, Duluth experienced a population increase of 1.7% from 1990 to 2000. American Fact Finder data shows the city population at 86,287 in 2008, a slight decrease of 631 persons or less than one percent. This decrease in population is likely due to limited employment opportunities within the city and smaller households. Growth in the City's population during the 1990's was primarily attributed to the increase in Duluth's minority population, whereas, the predominantly white population of Duluth declined over the 1990's at a level equal to the overall growth of the City (1.8%).

Table 1

Population by Race	1990	Percent	2000	Percent	% Difference
All Persons	85,492	100.0%	86,918	100.0%	1.7%
White	81,980	96.0%	80,532	92.7%	-1.8%
American Indian/Alaska Native	1,837	2.1%	2,122	2.4%	15.5%
Asian/Pacific Islander	768	0.9%	1,018	1.2%	32.5%
Black	747	0.9%	1,415	1.6%	89.4%
Other	161	0.1%	251	0.3%	55.9%
Two or More Races	NA		1,580	1.8%	
All Minority Races	3,513	4.0%	6,386	7.3%	81.8%
Hispanic Origin	510	0.6%	921	1.1%	
Female Head of Household	2,690	100.0%	2,708	100.0%	0.7%
Total Households	34,646	100.0%	35,500	100.0%	2.5%

1990/2000 Census

Updated estimates from American Fact Finder show the minority population of Duluth remains relatively small at 6,386, or 7.3% of the City's population almost doubling what it had been in 1990, when it was just 4% (3,513) of the overall population. The American Indian/Alaska Native population with 2,306 persons remains the largest minority group in Duluth (2.4%), followed by people of Two or More Races with 2,250 persons (1.8%), Black/African Americans with 1,783 persons (1.6%), Asian/Pacific Islanders 1,280 persons (1.2%) and Other Minority Races with 121 persons (.3%). Further, review of population changes by Neighborhood Planning Districts shows that the minority population has increased throughout the City, with minority population growth in each of the ten planning districts. The highest increases, ranging from 4.6% to 6.1%, were in the central part of the City, Districts 4, 5, 6 and 7.

Also important to this analysis is the number of people with disabilities (Table 2), identified in the 1990 and 2000 Census under disability status of the civilian non-institutionalized population of Duluth. Census information regarding people with disabilities is reported differently from 1990 to 2000, which makes comparison somewhat difficult in that data was reported in 1990 under two categories--mobility limitation and self-care limitation. In 2000, data is reported as a total number for disability, and then subcategorized by sensory, physical, mental, self-care and employment disability, of which persons may have identified multiple disabilities under the various categories. A Summary Profile of data for 2000 reports only one category, disability, and the numbers reported are lower than the detailed table. Another difference between 1990 and 2000 Census data on persons with disability is that in 1990, disability is reported for persons age 16 to 64 and the 2000 Summary Profile table reports for persons 21 to 64. However, for purpose of this analysis, 1990 data for mobility limitation and self-care limitation were combined and the number of disabled persons age 16 to 64 was compared to 2000 Summary Profile data for disabled persons age 21 to 64.

Table 2

Disability Status	1990	Percent	2000	Percent	% Difference
Population Age 16/21-64*	54,349	63.6%	53,300	61.3%	-2.3%
Disabled Age 16/21-64*	2,077	3.8%	17,868	33.5%	29.7%
Population Age 65 or Older	14,601	17.1%	14,626	31.1%	14%
Disabled Age 65 or Older	3,095	21.2%	9,433	64.5%	43.30%
Population Age 16/21 or Older*	68,950	80.6%	67,926	78.2%	-2.4%
Disabled Age 16/21 or Older*	5,172	7.5%	27,301	40.2%	32.7%
Percent of Total Population	85,492	6.1%	86,918	31.4%	25.4%

(*Age category 16-64 was used in 1990/21-64 was used in 2000)

1990/2000 Census

In 1990, the reported population of disabled (mobility limitation and self-care limitation), aged 16 to 64, totaled 3.9% (2,077) of the population for that age group (54,349), and 21.2% (3,095) for the population aged 65 and older (14,601). Together (age 16 and older), people with disabilities totaled 7.5% of the population for that age group and 6% of the overall population. In 2000, the reported population of disabled persons, age 21 to 64 represented 18% (8,651) of the population for that age group (47,817), and 41% (4,931) of the population aged 65 or older (12,007). The combined 2000 total for both age groups (13,582) represented 15.6% of the overall population for Duluth, and 22.7% of the population for the age group 21 and older.

While the different data sets for disability status make accurate comparison between 1990 and 2000 questionable, the data does show that Duluth has a large, and growing population of disabled persons. In fact, of the protected class groups, the population of disabled persons is much larger than other protected class groups. What is also apparent from this data, and what the Task Force addresses in the Fair Housing Plan, is that better identification and record keeping on Duluth's population of disabled persons is needed in order to better meet the needs of this underserved population of protected class persons.

As noted earlier the 2010 Census will provide updated information on persons with disabilities. Some information is available from the American Fact Finder for 2007, but is rather limited. It shows Duluth had 12,763 persons over 5 years of age with a disability or 16.3 percent of the city population. This can be broken down as follows: population between ages 5 to 15 1,013 persons, population between ages 16 to 64 7,153 persons, and for the population over age 65 10,930 persons.

Income data from the 2000 Census impacts housing choice for protected class persons. For individuals and families with low incomes, housing choice is limited. Most low-income families will never realize the American Dream of owning their own home, and their housing choice is often limited to subsidized or affordable rental housing. Protected class persons that have low incomes face multiple barriers to housing choice in that their housing opportunities are limited by their income and further limited by the likelihood of discrimination due to their disability, race, color, family status or other protected class status.

Table 3
Household Income by Race 1989 - 1999

1989 Income	Population	Percent	White	Percent	Minority	Percent
Households	34,646	100%	33,476	96.5%	1,275	3.5%
Less than \$24,999	18,333	52.9%	17,435	95.2%	862	4.8%
\$25,000 - \$49,999	10,807	31.2%	10,530	97.5%	344	3.5%
\$50,000 - \$74,999	3,786	10.9%	3,757	99.2%	29	0.8%
\$75,000 or \$99,000	1,063	3.1%	1,039	97.7%	24	2.3%
2000 Income	Population	Percent	White	Percent	Minority	Percent
Households	35,500	100%	33,586	94.6%	1,873	5.3%
Less than \$24,999	13,201	37.2%	12,154	92.1%	1,014	7.7%
\$25,000 - \$49,999	10,887	30.7%	10,321	94.8%	532	4.9%
\$50,000 - \$74,999	6,334	17.8%	6,147	97.1%	175	2.8%
\$75,000 - \$99,999	2,752	7.8%	2,662	96.7%	81	2.9%

1990/2000
Census

In Duluth, the median household income is \$33,766, which is just 71% of the median household income for Minnesota (\$47,111). Census data shows that overall, household income has risen in Duluth (Table 3). In 1989, more than half the households (52.9%) had incomes below \$25,000. By 1999, that number had decreased to 37.2%.

However, further review of data shows that this is not the case for low-income minority households (income below \$25,000). Whereas the number of low-income white households decreased from 1989 and 1999 by 3.1% (from 95.2% to 92.1%), the number of low-income minority households increased by 2.9% (from 4.8% to 7.7%).

Poverty data obtained from the 1990 and 2000 Census shows that there were fewer households with incomes below the poverty level in 2000 than there were in 1990. In 1990, there were 5,815 households below poverty, in 2000 that number had dropped to 5,351. Data also shows that the number of families with incomes below the poverty level decreased between 1990 and 2000, by 2% (Table 4). In 1990, there were 2,215 families (10.5%) with incomes below the poverty level. In 2000, that number had

dropped to 1,738 (8.6%). Poverty data is reported in the Census for households, families and number of individuals, but is not available in regard to specific protected class persons such as minority or disabled persons. However, Census data does show that of the families living below the poverty level, 59% are female householders with children and 18.7% of those are minority female householders with children.

Table 4

Family Income Below Poverty	1990	Percent	2000	Percent
Families--all income	21,127	100%	20,129	100%
Families below poverty level	2,215	10.5%	1,738	8.6%
Female Headed Families below poverty	1,281	58%	1,025	59%
White			824	80%
Minority			216	20%

1990/2000
Census

Other Census information as it relates to fair housing includes data regarding the occupancy of housing units. In Duluth, 70% of the occupied housing units are owner occupied (56,034) and 30% are renter occupied (24,323). That ratio (70/30) has remained consistent over the last decade. Of interest in relation to fair housing is that further breakdown of this data shows that minority residents are more likely to rent and white residents are more likely to own; 97% of purchased housing is occupied by whites, whereas whites occupy 87% of rental housing units. In contrast, minority home ownership is 3%, whereas rental occupancy for minorities is 13%.

Table 5

Owner/Renter by Income & Race

Mean Household Income--\$30,205	Population	Percent	White	Percent	Minority	Percent
Owner Occupied Mean Income	\$36,722	122%	\$36,719	122%	\$36,348	120%
Renter Occupied Mean Income	\$16,731	55%	\$16,918	56%	\$15,823	44.5%
Households--Income below poverty	5,815	16.8%	5,307	91%	534	9.0%
Owner Occupied	1,379	23.7%	1,324	37.4%	63	11.8%
Renter Occupied	4,436	76.3%	3,983	62.6%	471	88.2%

1990 Census

Data from the 1990 Census was also used (data was not available from 2000 Census) to examine issues relating to rental occupancy and income (Table 5). As would be expected, most households below poverty level in 1990 were renters (4,436 or 76.3%) rather than homeowners (1,379 or 23.7%). Again, data shows that for the population of households below poverty, home ownership is much more likely for white households (37.4%) than for minority households (11.8%). Additional comparisons were made between the mean income of Duluth homeowners versus renters (1990 Census). As would be expected, the mean income for owner-occupied housing (\$36,722) is found to be higher than the mean income for Duluth (\$30,205), whereas the mean income of renter-occupied housing (\$16,731) is well below that. Also, little difference was found between the mean income of homeowners that are white (\$36,719) and the mean income for minority homeowners (\$36,348). However, for renters, differences were found in that the mean income for white renters was reported at \$16,918, whereas the

mean income for minority renters was reported to be \$15,823. The greatest disparity was found among American Indian renters, with a mean income of \$12,116.

Housing Indicator Report--Information obtained from the U.S. Census Bureau and compiled by Community Development staff in the 2008 Housing Indicator Report was also reviewed. Information from the report was noted as it relates to fair housing. Like the overall population, the number of households in Duluth increased between 1990 and 2000 (from 34,646 to 35,500) with 2007 showing an estimate of 36,414 households. The number of one-person households increased by 12%, (from 10,944 in 1990 to 12,244 in 2000). Yet, during that period, the number of persons per household declined from 2.36 in 1990 to 2.26 in 2000. This decrease appears to be a continuing phenomenon with the current estimate (2007) of 2.16 persons per household. The combination of these factors results in greater demand for housing units.

According to the 2000 Census, the number of housing units in Duluth increased by 2.6% from 1999 (36,022 units) to 2000 (36,994 units). The number of owner-occupied units increased from 22,275 in 1990 to 22,773 in 2000 and the number of rental units increased from 12,288 in 1990 to 12,727 in 2000. The ratio between owner-occupied and renter-occupied housing remained the same at 62% and 34% respectively; the vacancy rate remained at 4%. However, a housing market analysis conducted in April 2000 and in May 2001 by Maxfield Research, Inc., and by Housing Indicator Report (2008) shows rental vacancy rates ranged from a low of 5% in 2008 to a high of 6.1% in 2005. It would appear the trend is moving downward in terms of vacancy rates. According to the Housing Indicator Report, a 5% vacancy rate, where supply and demand are balanced, is considered a healthy rental market. While for now it appears the rental vacancy rates are moving downward rents paid are moving upward. The average rent in 2005 was \$634 per month with 2008 average rent being \$731 per month.

Other information in the 2007 Housing Indicator Report describes housing production in Duluth in terms of net gain which is the supply of new housing units produced, offset by the number of housing units demolished, in a given year. Since 2002 to 2008 the city has had seen a gain of 1,348 units of housing . The following summarizes this change from 2002 to 2008

Number of Units Created	1,893
Number of Units Demolished	545
Net Gain in Units of Housing	1,348

The limited amount of affordable units being built are primarily subsidized housing units. For individuals and families with higher incomes, the trend in housing production may have no impact, or may even improve their opportunities for housing of their choice, but for protected class persons with lower incomes, declining production, the shrinking affordable housing market and an extremely tight rental housing market can only result in fewer opportunities for fair and equal housing choice.

Home Mortgage Data--Home mortgage data, reported by lenders through the Home Mortgage Disclosure Act (HMDA), was another fair housing related data source

reviewed for this plan. Information on the number of mortgage applications originated and denied for during 2007 and 2008 was reviewed for minority and white households and for male and female applicants. Data showed that loan origination rates decreased substantial for both males and females between 2007 and 2008 due to the down economy. In 2007 there was a total of 3,149 loans originated and in 2008 this had dropped to 1,847; a decrease of 59%. Further analysis shows the number of loans to males during this time period dropped by 54% and for females the decrease was 57%. In comparing mortgage origination rates for whites and minorities, data showed rates ranging from 55% to 73%. African Americans had the lowest origination rate and whites had the highest. For both of these groups from 2007 to 2008 the origination rate increased for whites, but decreased for African American, whereas all other groups (Asian, Black, Hispanic and Other), the origination rate remained about the same during that time period.

Comparison of denial rates among White and minority races showed in 2008 the loan denial rates for American Indian at 32% and Hispanic 33%, and for Africans Americans 40% and Asian at .7% and for Whites the denial rate was 16%. In 2008 denial rates were higher for males at 42% and lower for females at 21%. In comparing denial rates for females and males within each race category very little similarity exists. The highest denial rates were for American Indian males and African American females at 66%, and lowest was White females at 15% as compared to White males at 22 %. Hispanic males had a denial rate of 40%, and an overall denial rate of 33%. In looking at 2007 denial rates Asian females had the highest rate at 66%, with White males and females sharing the same denial rate of 20%, the lowest rate of denial in 2007. The Hispanic denial rates were zero for females and 60% for males. Overall data comparasion betweenm 2007 and 2008 show Black women have the highest mortgage loan denial rate, with White females having the lowest rate for denials. Local lenders have indicated credit as the leading cause of loan denials among all races, males and females. In a study conducted for HUD by the Urban Institute in 2000, lending institutions in Chicago and Los Angeles were tested to determine if equal treatment is given to all persons inquiring about home loans. Study results found some patterns of unequal treatment that favored whites, but overall, HUD reports, "a majority of people inquiring about a home loan receive equal treatment but there is still room for improvement in the number of minorities facing discrimination by mortgage lending institutions."

Building Safety and Inspection Data--The final source of data was provided by Duluth Building Safety and Inspection. Previous focus groups cited code violation, lack of maintenance and repair of older rental housing and the poor quality of affordable housing stock in Duluth as issues that limit housing choice for protected class persons, particularly those that are low income. Because of the nature and quantity of focus group comments relating to code violations indicated a number of older rental properties in Duluth to be "problem" properties--in substandard condition, poorly maintained and cited for numerous code violations over extended periods of time. In earlier reports it was considered to be problematic that data from Building Safety and Inspection regarding properties with a history of code violation was limited and not easily accessible. This is no longer the case. Currently, information regarding inspections and code violations are stored in a mainframe file, listed by individual property addresses, and can be linked to owners of multiple rental properties. Each time an inspection is

conducted, an entry is made to the file, as is any correction notice, citation, or other action taken in regard to the property. In cases of neglected or poorly maintained properties, the entries for an individual property can be quite extensive. Current data is entered along with past data, which allows the information to be accessed, which does include "history" of problem properties, or any property. The current system allows for storing or retrieving past correction orders or violations and does facilitate tracking individual violations by occurrence or by property owner.

While changes in data collecting and history of violations has improved, the Building Safety Office will soon be purchasing computer software that will improve monitoring of problem properties. Protected class persons whose housing choice is limited by other factors such as low income or inability to purchase a home, which, therefore, limits housing choice to rental, and most often affordable rental housing, face additional barriers to housing choice when a high number of affordable rental units are in poor condition, or repairs are not done after tenants move in and have signed a lease. This appears to be changing, due perhaps to the down turn in the economy, more available units, or three year inspection cycle. In additions to upgrades to the computer system and the three year inspection cycle the following was noted for improvements and for areas to be improved. With one-stop permit shopping, the inspectors will be moving to the Main Fire Hall which moves them away from emergency housing issues, as noted with other city departments more employees are needed in this case qualified building inspectors, cross training between Fire Inspectors and Building Inspectors to increase efficiency and standardization of inspections, Fire Inspectors consider only common areas in apartments for fire inspections while building inspectors look at each units, currently there is an inspections gap for housing units that fall between 4 to 8 units, in 2010 Building Safety plans to re-design the rental licensing program, starting in early 2010 the office begins to make use of the recently adopted Administrative Citations thus saving time in repairs being made to problem housing, ongoing problems of enforcement of vacant and blighted properties in that the tools available are limited leading to habitation of condemned property, the HRA using DEDA funds will begin to remove blighted properties as listed by Building Safety Office and while the city experienced foreclosures in 2009 more are expected in 2010 and into 2011.

FAIR HOUSING PLAN

After completing a review of data from previous focus groups, the 1990 and 2000 Census, with additional information from American Fact Finder, the Housing Indicator Report, review of home mortgage (HMDA) reports, Building Safety and Inspection and related articles from HUD and other fair housing organizations, and through interviews with key informants regarding identification of and updates to previously identified impediments to fair housing.

The following impediments were subsequently updated. The goals and actions outlined below were drafted with the idea that this Analysis of Impediments and Fair Housing Plan will be a part of the next Consolidated Plan for Housing and Community Development, which is targeted for completion in 2009, and as such, will be implemented in conjunction with that Plan.

IMPEDIMENT 1: LACK OF INFORMATION AND EDUCATION

Through the use of key informants, an overwhelming number of participants indicated that a lack of knowledge and information about fair housing laws and regulations acted as an impediment to fair housing. Many participants stated that they believe housing discrimination occurs regularly in Duluth, and a most informants stated information and education has, and will continue to be, central to reducing other impediments. Both landlords and tenants need to how to access information which is easily accessible, understandable, and up to date. Given recent upheavals in the economy landlords are having difficulty in renting, and tenants are having difficulty in paying rents due to lack of jobs. Tenants, who experience housing discrimination, often did not know the activity was illegal or did not know what could be done about it. According to a HUD report dated April 2002, "most Americans support the concept behind the Fair Housing Act, the law that prohibits many types of housing discrimination, but many do not fully grasp which activities are legal and which are not."

In an effort to further fair housing, eliminate activities that violate fair housing law, which may lead to fair housing litigation or retribution, and increase housing opportunities for those most likely to be discriminated against, housing providers, consumers, architects, builders, lenders and realtors must have a greater understanding of fair housing laws and regulations. In particular, architects and builders must understand fair housing regulations in regard to accessibility and visitability to guarantee these standards are incorporated into the design and construction of new housing. Landlords and tenants need to have a better understanding of the fair housing rights and responsibilities as they pertain to the rental housing market. Lenders, realtors and consumers need to understand equal housing opportunity and its impact on various aspects of the home buying process.

Goal A: The City will actively market fair housing through a variety of marketing strategies and mediums to increase the level of knowledge and understanding about fair housing issues.

Action: In its effort to further fair housing, the City will initiate fair housing marketing through public service announcements presented on monthly radio broadcasts and weekly on PACT TV, beginning in 2010, with material updated annually. In addition, the City will develop, in 2010, a Fair Housing webpage to be incorporated into the City's website. The fair housing webpage will include links to other websites relating to fair housing, such as HUD's federal and state fair housing websites and the National Fair Housing Alliance website. Other forms of marketing will include posting Fair Housing posters at City Hall, at all branches of the public library and at all city-owned community centers in 2003.

Goal B: Disseminate general fair housing information to 1,000 tenants and landlords.

Action: In coordination with Community Development and the Human Rights Office, Housing Access Center will develop fair housing information packets to be distributed to tenants in Duluth. Distribution will be through HRA Section 8 and other public housing programs, CDBG funded housing providers and private rental housing providers to make available to tenants. Information packets will be distributed to 1,000 persons annually starting in 2010 and updated as needed. These packets will remain available at the Housing and Redevelopment Office(s), Housing Access Center and the Human Rights Office.

Goal C: Disseminate fair housing information specific to accommodating people with mental disabilities to 200 tenants and landlords.

Action: In coordination with Housing Access Center, the Center for Independent Living, Residential Services, Inc., the Human Development Center, the Human Rights Office and Community Development, create a fair housing brochure specific to accommodating persons with physical and mental disabilities, modeled after the fair housing brochure, "Accommodating Persons With Disabilities," produced by the King County Office of Civil Rights Enforcement and the "Housing Rights in Minnesota for Persons with Mental Disabilities." The brochures will be created in 2010, and disseminated to 200 tenants and landlords through the Center for Independent Living, Residential Services, Inc., the Human Development Center, Housing and Redevelopment Authority, Housing Access Center and the Human Rights Office.

Goal D: Develop and implement training to increase the knowledge and understanding of fair housing rights and responsibilities, to include reasonable accommodations for all CDBG/ESG housing providers and tenants.

Action: The City provides CDBG and ESG funding to a number of emergency shelter and transitional housing providers that help Duluth's homeless population prepare for and obtain permanent housing. The population served by these programs includes a disproportionately high number of protected class persons, such as people of color, people with mental and physical disabilities and female-headed households. Incorporating fair housing education into programming by shelter and transitional housing providers can serve as the first step in helping people understand and

exercise their fair housing rights and responsibilities in the rental housing market. In 2010, CDBG and ESG funded shelter and transitional housing providers will work with Community Development staff, Housing Access Center and the Human Rights Office to evaluate current efforts and determine the framework of fair housing education, including information to be presented, the number of sessions needed and who will facilitate the training, to most effectively meet the needs of this population. Current training will be evaluated in 2010 and ongoing sessions conducted no less than quarterly. In addition, first-time homebuyer programs that receive CDBG and HOME funds will incorporate fair housing information into their workshops. In FY 2010, data will be collected on the number of protected class persons that receive fair housing education through the programs identified.

Goal E: Increase knowledge of fair housing regulations, in regard to accessibility and reasonable accommodations and visitability, for City Attorneys, public and private architects, builders and contractors associated with CDBG and HOME housing projects.

Action: In 2010, Community Development staff will coordinate efforts with the Human Rights Office and Building Safety and Inspection Department to provide Fair Housing training to architects, builders, contractors and attorneys associated with CDBG and HOME funded projects. Training will focus on reasonable accommodations, accessibility and visitability.

Goal F: Provide an educational workshop that focuses on reducing barriers presented by cultural, educational and socio-economic differences and assists people in gaining the knowledge of, and appreciation for, the diversity that people of color, people with mental and physical disabilities and people of other protected classes bring to our community.

Action: The University of Minnesota-Duluth, Department of Social Work, in coordination with the Duluth American Indian Commission, the Center for Independent Living and the City's Community Development Division will conduct a one-day "Building Bridges" cultural competency workshop in 2010 and one-to-two workshops annually in 2011 and 2012. The focus of these workshops will be to enhance appreciation for the diversity that people of color, people with mental and physical disabilities and people of other protected classes bring to our community. Each workshop will educate 50-100 people about diversity and cultural issues relevant to Duluth.

Goal G: Implement a mortgage lender referral system for persons who have been denied home mortgage loans.

Action: Develop a referral program in 2010/2011 through a cooperative agreement between local lenders, Salvation Army Credit Counseling Program, Neighborhood Housing Services Homebuyer Program and Community Development. Lenders will refer persons who have been denied mortgage loans to the Credit Counseling Program and the Homebuyer Program. Information regarding the number of referrals made by lenders, the number of referrals who participated in and successfully completed the program(s) and were later successful in obtaining mortgage funding will be accumulated

by participating organizations. Information specific to protected classes will be submitted to Community Development annually, no later than the end of January for the previous year, for review by the participating agencies and organizations. Data collected will be incorporated into future Fair Housing Plan objectives.

Goal H: Incorporate mortgage loan data/information into Community Development's annual Housing Indicator Report.

Action: Community Development staff will collect data on the amount of community investment and the types of community investment projects associated with local lenders. Data will be collected annually through CRA and HMDA reports and incorporated into Community Development's Housing Indicators Report.

IMPEDIMENT 2: HOUSING DISCRIMINATION AGAINST PROTECTED CLASSES

In previous analysis when asked about housing discrimination, all focus group participants agreed that illegal housing discrimination occurs in Duluth. Discrimination may occur unknowingly at times, or without knowledge of the legal ramifications that may result, or because enforcement through the state or federal process is difficult and time consuming, and, therefore, not often pursued, or because it commonly occurs in one's life experience and becomes accepted behavior. HUD estimates that two million incidences of discrimination occur in the United States annually, but the majority are not reported. According to the "Fair Housing Trends Report," completed in 2002 by the National Fair Housing Alliance (NFHA), only one percent of illegal housing discrimination is reported, and that the most commonly reported basis for housing discrimination is race, followed by disability and familial status. Further, the report states that the most common discrimination complaints are in relation to rental housing. In the "Do We know More Now?" report prepared by HUD (February, 2006) 83% of the respondents did nothing regarding perceived discrimination. This report noted that the perceived discrimination when it came to buying or renting was based on race, followed by familial status, then ethnicity. Regardless of why, how or where discrimination occurs, activities that discriminate against the more vulnerable of our population, against people protected under the Fair Housing Act, is an impediment to fair and equal housing choice, it is illegal and acting in accordance with fair housing law is the responsibility of all citizens.

Goal A: Initiate and disseminate procedures for processing Fair Housing discrimination complaints through the City's Human Rights Office.

Action: The Human Rights Office will continue to initiate and disseminate procedures for processing discrimination complaints. The Human Rights Office has been and is to maintain records regarding the number and nature of fair housing complaints and the actions taken to remedy the complaints. Data collected will be used in the annual evaluation of the Human Rights Office and its procedures, and will also aid in determining the level of discrimination in Duluth.

Goal B: Reduce and eliminate discriminatory practices in the area of housing that have an adverse impact on our community.

Action: The Human Rights Officer has been processing and investigating fair housing complaints since 2002. The Human Rights Officer will continue to review and present cases to the Human Rights Commission, who will make determination of probable cause or no probable cause. In cases where the Commission has determined that a violation of fair housing law has occurred, the Human Rights Officer will initiate corrective actions in accordance with the Fair Housing Act and the Duluth Human Rights Ordinance.

Goal C: Obtain Fair Housing Assistance Program (FHAP) funds from HUD to support the City's enforcement of "substantially equivalent" fair housing laws under the Duluth Human Rights Ordinance.

Action: The Duluth Human Rights Ordinance, adopted in 2001 by the City Council, was submitted to HUD for review, and was subsequently determined to be "Substantially Equivalent" to federal fair housing law. In 2002 and 2003, the City's Human Rights Officer and Community Development staff worked with HUD to obtain substantial equivalency and made an application to HUD for Fair Housing Assistance Program (FHAP) funding, which was used to support and strengthen local enforcement of fair housing law. The focus for Goal C is to work at securing other federal and state funding for the Human Rights Office and more importantly secure on-going city funding for the Human Rights Office and their activities.

Goal D: Establish guidelines for "acceptable" and "not acceptable" rental application forms and for lease language, with "acceptable" language encouraged and "not acceptable" language prohibited in all leases used in the City of Duluth.

Action: In 2010-2011, Housing Access Center staff, the Human Rights Officer and Community Development staff will review and rental application forms and leases used by Duluth rental housing property owners, landlords and management companies and develop best practice guidelines for rental application forms and lease language that is "acceptable" and "not acceptable" and/or discriminatory. Guidelines will be incorporated into the rental licensing process, with "acceptable" language encouraged by landlords and "not acceptable" language prohibited. Endorsement of rental application forms and lease language guidelines will be requested from the Arrowhead Multi-housing Association. The City Council will be asked to approve the guidelines and their incorporation into the rental licensing process. Rental application forms and lease language guidelines will be disseminated to landlords, management companies, and HRA and area colleges.

Goal E: Conduct an audit of the rental application process (es) and application fees charged by landlords in the City in order to determine if the rental application process and fee charges adversely impact protected class persons.

Action: Housing Access Center, with assistance from Community Development, will develop a process for auditing application fees charged by Landlords. In 2010-2011, HAC staff will collect data on application fees and complete an audit of application fees charged by 20% of Duluth landlords. Results of auditing will be made available to the Human Rights Office and the Arrowhead Multi-housing Association, and will be used to develop future guidelines for the collection of application fees in Duluth.

Goal F: *Establish a program in coordination with landlords whereby Housing Access Center will process applications, on behalf of landlords and tenants, which will result in one application/fee per prospective renter that can be submitted to multiple landlords.*

Action: In 2010-2011, HAC will work with the Arrowhead Multi-housing Association to establish procedures for a renter application program that allows prospective tenants to pay one application fee (based on a sliding scale fee) to cover the cost of a background check, and to complete only one application that can be submitted to multiple landlords. HAC will annually work with at least 30 prospective renters to participate in the program. Through the program, people will be able to complete a single application and pay one application fee. That single application can then be submitted to multiple landlords or rental property management services during the apartment search process. Protected class persons who are also low income will be targeted for participation in the program, and at least 60% of the participants will obtain housing through this process. HAC will maintain data and records pertaining to those persons participating in the program to measure the success of the program.

IMPEDIMENT 3: SPECIAL NEEDS POPULATIONS ARE OVERLOOKED

The “Do We Know More” report reports that people are most likely to be discriminated against because of race, familial status or ethnicity. Due to the small sample size discrimination was not listed, or could have been included in another category. Comments made at the fair housing focus groups would support that “special needs” populations such as persons with mental or physical disabilities, non-English speaking people and female-headed households, particularly those with large families, are discriminated against in Duluth. Comments also suggest that housing choice for this segment of the population is further limited by their special needs, or the additional housing support and other services needed by these groups, and by the fact that household income for special needs populations is likely to be much lower than the mean household income for Duluth. The 2000 Census data shows that of the families with income below the poverty level, 59% (1,738) are female-headed; 20% of those are minority female-headed families.

Goal A: *Establish a baseline of demographic data regarding Duluth's protected class, special needs populations, to include households of persons with physical or mental disabilities, non-English speaking households and culturally diverse, female-headed, large-family households.*

Action: Data will be collected and a baseline established in 2010 on underserved, protected class, special needs populations, including people with physical and mental disabilities, non-English speaking households and culturally diverse, female-headed households with large families. Data will be collected through Census data, through the St. Louis County Social Service Department, the Human Development Center, the Center for Independent Living, Residential Services of NE Minnesota, Housing and Redevelopment Authority and other related sources. Results from the 2010 Census will be reviewed and incorporated as this date becomes available. Community Development staff will work with these agencies to compile and update the data on a regular basis. Data will be used to determine future fair housing strategies. Community Development staff will maintain records relating to initiatives and number of persons served specific to the fair housing goals identified for special needs populations.

Goal B: Identify the rental housing needs of historically underserved, protected class, special needs populations. Target 10% of rehabilitation to affordable rental units and the construction of affordable new rental units to accommodate the needs of underserved, special needs populations.

Action: Target at least 10% of rental rehabilitation and construction of new rental units to meet the needs of people described above as "special needs populations" and protected under the Fair Housing Act. New public housing and affordable housing developed through the planned HOPE VI initiative did include housing designed to meet the needs of those identified as special needs populations. Of the 269 units at Harbor View 31 housing units or 7% were designed for handicapped accessibility. Under the HOPE VI redevelopment project, 5.3% of the developed units was designed to meet the needs of people with mobility impairments, 2.3% will be designed to meet the needs of people with hearing impairments and 2.3% will meet the needs of sight-impaired persons. In addition, adaptability features were incorporated, where feasible, into the other units, such as wall reinforcement to tub/shower areas to accommodate future installation of grab bars and access to electrical conduits in all rooms to accommodate future installation of visible and sound alarms or other such signaling devices. Further, visitability design features will be incorporated into units, as required, with an entrance to all ground floor units to be at grade and approachable by a sidewalk or paved path, and with entrance doors and interior passage doors to be no less than 2'10".

Goal C: Address issues relating to the Olmstead Decision that will lead to improved housing and supportive service opportunities for people with mental and physical disabilities who are unnecessarily confined to nursing homes and other institutions.

Action: In 2090, Community Development staff, in coordination with the Disabilities and Human Rights Commissions, the Human Development Center, the Center for Independent Living and other service providers for people with disabilities, the Housing and Redevelopment Authority and other affordable housing providers, St. Louis County Social Services and other community partners, will convene a Task Force to: 1) Assess how many people with severe disabilities are currently institutionalized who are eligible for community-based services; 2) Conduct a comprehensive assessment of affordable, accessible housing and support services available in Duluth for people with severe

disabilities; 3) Implement a data collection and information system to aid in the assessment of need and availability of housing and services for people with disabilities; and 4) Establish goals and priorities to address affordable housing issues for people with disabilities in accordance with the Olmstead Decision and in an effort to meet the obligations set forth in the Americans with Disabilities Act. The challenge of the Task Force will be to increase affordable rental housing opportunities and develop community integration strategies for people with severe disabilities who have SSI-level incomes.

Goal D: Expand housing opportunities for underserved, protected class, special needs populations by targeting special needs populations that experience multiple barriers to finding permanent, affordable rental housing, for participation in Housing Access Center's newly developed Renters Certification Program.

Action: In 2010, Housing Access Center will expand its Tenant Certification Program, in coordination with the Center for Independent Living (CIL) to target housing assistance to people with mental and physical disabilities that are identified as "hard to place." HAC initiated the Tenant Certification Program in 2002 to assist hard to place tenants and persons denied Section 8 housing due to poor rental histories and problems found in background checks. Through the expanded program, HAC and CIL staff will provide training to help people improve their independent living skills and address specific housing issues. People will receive assistance in finding permanent housing and follow-up case management, for 6-months to 1-year, once they find permanent housing. Approximately 30 disabled persons will receive this assistance annually.

Goal E: Develop procedures for HRA and other interested organizations to translate fair housing and other vital information to various languages, based on the population data collected on non-English speaking populations in Duluth.

Action: In coordination, Community Development staff and HRA staff will research methods used by other communities to address language barriers. Based on translation methods available, the City and HRA will continue to prioritize what housing materials should be translated, the languages to be used in translating materials and methods to be used to disseminate non-English materials. Fair housing information HRA lease language and other vital information has been translated into at least one non-English language. HRA should continue to translate all information so it is available for dissemination to non-English speaking residents of Duluth in 2010.

IMPEDIMENT 4: HOUSING CODE ENFORCEMENT

Poor quality, substandard housing, a number of absentee or other landlords who do not properly maintain property, and the inability of tenants to hold landlords accountable for maintenance of rental properties were identified as impediments to fair housing by a number of focus group participants. According to HUD, the average life span of a house is 40-50 years without needing significant maintenance. Most of the housing stock in Duluth is over 60 years old (49.6%) while statewide, only 21% of housing is 60

years or older. Older housing stock is often found to be substandard and in need of major renovations, or being condemned for habitation. Protected class persons are more likely to be affected by these issues because a higher proportion of low-income persons are disabled, minority, from female-headed households, or identified as a protected class in some way, and thus, are more likely to live in public housing, or in older, substandard housing when public housing is unavailable to them. The Building Safety and Inspection office receives a high volume of calls regarding code violations from tenants living in the Duluth's older, affordable housing units. However, the system used by Building Safety is outdated, inefficient and does not allow Building Safety staff to adequately compile and/or retrieve information about complaints, inspections, violations, citations, property improvements, or other pertinent information. Updating the system by which Building Safety and Inspection stores and retrieves data about properties would not only improve efficiency in that department, but would also provide people with information about properties in Duluth that would enable them to make better, more informed decisions about housing choices for themselves and their families.

Goal A: Expand the capacity and effectiveness of the Building Safety and Inspection office through the development or purchase of a permitting/licensing/inspection computer program. The new system will be used to improve the Department's ability to collect, store and retrieve information relating to rental property licensing, permitting and inspection, to include the number and nature of code violation complaints, citations, corrective actions and successful completion of repairs.

Action: The City will develop or purchase and install permitting/licensing/inspection software that will enable the Building Safety and Inspection Department to store and retrieve data currently collected in association with rental properties, rental property licensing, permitting and inspections. The Department will incorporate current information into the new system and expand the level of information available through the system to include the number and nature of code violation complaints, citations, corrective actions and successful completion of repairs. Develop or purchase and install database software in 2010 - 2011, as the department budget allows. The database system will be maintained and information updated regularly so that information is current and can be made readily available to staff, the public and others, as needed. Target goals for enforcement of rental code violations will be established once the new system is in place.

Goal B: Establish a Tenant Remedies Program that improves housing options to renters who encounter problems with landlords not making necessary repairs to property, and allows necessary repairs to be made to rental properties currently in violation of the City's building codes.

Action: The City Attorneys Office will act as lead in a collaborative effort with the City's Building Safety and Inspection Department, Housing Access Center, the Arrowhead Multi-housing Association and Community Development staff to establish a Tenant Remedies Program, that provides support to tenants living in substandard buildings that are in violation of City building codes. The program will allow tenants'

rents to be administered through the program and used for rehabilitation of rental units. The program will be initiated after Building Safety and Inspection has established a new inspection, permitting and code violation database system (identified under 4A). Community Development staff will assist in the identification and development of funding for the program. Annual target goals will be established during program development.

Goal C: Reduce the number of rental properties being condemned due to lack of repair and maintenance of the building, which will result in reducing the number of tenants being displaced due to condemnation of substandard rental properties.

Action: The Building Safety and Inspection Department will continue to identify rental properties in violation of code repairs and make recommendations to the City Attorneys Office that property be targeted for tenant remedies action. The Tenant Remedies Program will take necessary steps to collect tenant rents and authorize repairs necessary to restore the condition of the building to meet City code requirements.

IMPEDIMENT 5: LOSS OF AFFORDABLE HOUSING UNITS

Loss of affordable housing units is a major impediment to fair and equal housing choice for protected class people, particularly those that are low income. Over the past years, the number of affordable housing units in Duluth has declined; in 2001, the net gain in total housing units was at a five-year low. The majority of new housing is "high end," and, therefore, not available to low-income people, who are more likely to be female head of households, have a disability, receive public assistance or be a person/family of color. This, combined with a vacancy rate of less than 2%, well below the normal, healthy market level of 5%, and the limited resources with which low-income, protected class persons have to allocate towards housing, severely limits housing choice for a large segment of the City's population. As a result, many of Duluth's protected class persons are more likely to experience housing discrimination and are less likely to report discriminatory actions for fear of losing their housing.

Goal A: Increase housing choice for protected class persons by increasing the number of affordable owner-occupied and rental housing units available in Duluth by at least 3%.

Action: In 2010, Community Development staff will research relevant data in order to establish a baseline of the number of rental housing units, the number of lost units, the ratio between lost and replaced units. From this baseline a target number of units will be identified. Target goals will be met during the five-year Consolidated Plan period. (*Target goals will be incorporated into the five-year Consolidated Plan*). In addition, the HRA will pursue the development of new affordable housing units with State, Federal and local financing tools throughout the City to create a mix of HRA-owned public housing and affordable and market-rate owner-occupied housing.

Goal B: Reduce the number of affordable rental housing units lost due to condemnation resulting from landlords' failure to make code violation repairs.

Action: Under the Tenant Remedies Program rental properties identified will be administered by the Program. Rents will be paid to the program and administered through the program. Program administrators will authorize rehabilitation activities required to bring participating rental properties to code. Rental income collected through the program will be used to pay for the rehabilitation and associated administrative activities.

Goal C: Decrease the ratio between lost and replaced affordable housing units.

Action: The Community Development Committee will make funding affordable housing projects a priority by maintaining or increasing the amount of CDBG and HOME funds targeted to rehabilitation of the existing affordable rental and owner-occupied housing stock and to construction of new affordable housing, beginning with the 2010 funding cycle. In addition, a portion of 2010 - 2011 CDBG funds, to be determined by the and the Community Development Committee, will be allocated for start-up funds for the Tenant Remedies Program.